

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
TUESDAY, JUNE 21 2022**

Mayor Michael Dylan Brennan called the meeting to order at 7:00 p.m.

Roll Call:

Present: Mrs. Michele Weiss
Mrs. Sheri Sax
Mrs. Barbara Blankfeld
Mr. Justin Gould
Mr. Christopher Cooney
Mr. Brian King

Absent: Mr. John Rach

Also Present: Prosecutor Michael Cicero
Clerk of Council Kelly Thomas
Finance Director Dennis Kennedy
Housing and Community Development
Director Geoff Englebrecht
Economic Development Susan Drucker
Communications/Civic Engagement Mike Cook

MOTION BY MR. RACH, SECONDED BY MRS. WEISS to excuse the absence of Mr. Rach. On roll call, all voted “aye”.

Approval of Council Minutes:

Regular Council Meeting of June 7, 2022

Motion by Mrs. Weiss, second by Mrs. Blankfeld, to table the minutes of June 7, 2022. On roll call, all voted “aye”.

Additions and Removals from the Agenda; Referrals to Committee

MOTION BY MR. GOULD, SECOND BY MRS. WEISS to remove Agenda Item “K” Ordinance 2022-31, Entitled Amending Codified Ordinance Section 1060.02 Entitled “Notice to Owner or Occupant to Repair.” To Establish the Obligation of the City to Maintain Stormwater Features Installed by the City in The Right-of-Way (on second reading) from the June 21, 2022 Council Agenda. On roll call, all voted “aye”.

MOTION BY MR. GOULD, SECOND BY MRS. WEISS to table Agenda Item L Ordinance 2022-33 Amending Codified Ordinance Chapter 1064 Entitled “Solid Waste Disposal” and Declaring an Emergency (on second reading and emergency). On roll call, all voted “aye”.

MOTION BY MR. GOULD, SECOND BY MRS. BLANKFELD to read Agenda Items M, N, O, P, Q, R, S and T together.

- M. Ordinance 2022-34 Amending Codified Ordinance Chapter 1060 Entitled “Sidewalks, Driveways and Tree Lawns” and Declaring an Emergency (on passage and emergency)
- N. Ordinance 2022-35 Amending Codified Ordinance Chapter 1280 Entitled “Supplemental Regulations” and Declaring an Emergency (on passage and emergency)
- O. Ordinance 2022-36 Amending Codified Ordinance Chapter 1420 Entitled “Administrative Procedures; General Code Penalty,” and Declaring an Emergency (on passage and emergency)
- P. Ordinance 2022-37 Amending Codified Ordinance Chapter 1452 Entitled “Garbage Disposals” and Declaring an Emergency (on passage and emergency).
- Q. Ordinance 2022-38 Amending Codified Ordinance Chapter 1456 Entitled “Moving of Building and Structures, and Declaring an Emergency (on passage and emergency)

- R. Ordinance 2022-39 Amending Codified Ordinance Chapter 1470 Entitled “Purpose and Scope” and Declaring an Emergency (on passage and emergency)
- S. Ordinance 2022-40 Amending Codified Ordinance Chapter 1472 Entitled “Definitions” and Declaring an Emergency (on passage and emergency)
- T. Ordinance 2022-41 Amending Codified Ordinance Chapter 1474 Entitled “Enforcement and Declaring an Emergency (on passage and emergency)

Mr. McConville explained that agenda items M through T were Ordinances that had been reviewed by the Building and Housing Committee. The Ordinances were designed to correct references in various Code Chapters to the Building, Engineering and Inspection Department and also to the Department of Housing and Community Development; as well as to the Housing Director. Mr. McConville stated that changes either corrected references to the Building Department and/or add in references to the Housing Department. This will enable both departments to have the powers delineated throughout the Code sections.

On roll call on Mr. Gould’s motion to read agenda items M through T together, all voted “aye”.

Mr. McConville suggested that a motion be made to amend agenda Item Q Ordinance 2022-38 so that it would read “amending codified ordinance chapter 1456. entitled, moving of building and structures and declaring an emergency.”

MOTION BY MR. GOULD, SECONDED BY MRS. BLANKFELD to amend agenda Item Q to read as follows: Ordinance 2022-38 Amending Codified Ordinance Chapter 1456 Entitled Moving of Building and Structures and Declaring an Emergency. On roll call, all voted “aye”.

There were no further additions/removals or referrals to Committee.

Comments from Audience

There were no comments from the audience.

Reports and Communications from the Mayor, and the taking of action thereon:

Mayor’s Report

The city’s inaugural Juneteenth celebration was a resounding success. One year ago, Geoff Englebrecht, the City Housing and Community Development Director, took up the charge to form a citizens committee and plan the event. They came through in a big way. I thank Mr. Englebrecht and the committee members, who worked together to make this inaugural celebration possible: Dr. Alicia Sloan, local business owner; Luwuana Anderson; UH Councilperson Justin Gould; former UH Councilperson Sandra Berry, and longtime residents Denise Jackson and Virginia Benson. There are others who came together to make this event happen, including members of this council, who supported it in the planning, and also by attending. Thank you all.

Two more things.

Joint meeting of the City Governments of UH/CH/ CH-UH School Board and Heights Library Board is set for Wednesday, June 29th at 6:30pm.

I ask council members to reserve the evening of July 13 for a special meeting, to consider and approve a bid on the Washington/Silsby/Saybrook project, together with any matters coming from the July 7 planning commission meeting.

Happy Summer Solstice! This concludes my report.

Report and Communications from City Council, and the taking of action thereon

Vice Mayor Michele Weiss stated that the Charter Review Commission nominations are still under consideration until June 30th. Mrs. Weiss explained that neither the Council or the Mayor have any input to the Commission’s discussions. She added that this is an apolitical unbiased group. There is an ordinance which provides for an interim and final report from the Commission for Council and administration that can be publicly discussed.

Mrs. Weiss reported that the joint Facilities and Infrastructure Committee will meet on June 27th to continue review the draft of the facility assessments.

There were no other reports from Council

Reading and Disposition of Ordinances, Resolutions, Motions and Consideration of Agenda Items:

A. Proclamation Dedicating July 8th as Jeffrey H. Friedman Day in University Heights

Councilwoman Barbara Blankfeld noted that Margaret Duffy Friedman, Mr. Friedman's widow, is present this evening. Mrs. Blankfeld read the proclamation and noted that today was Mr. Friedman's birthday.

Mayor Brennan and Council members paid tribute to Mr. Jeffrey H. Friedman acknowledging his great service to the City as well as to his clients of his reputable law firm.

Mrs. Friedman thanked all for the proclamation and for continuing the great service provided by the City of University Heights, adding that Mr. Friedman loved the City, and his spirit and passion will live on through all of those here.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. SAX to approve the Proclamation Dedicating July 8th as Jeffrey H. Friedman Day in University Heights. On roll call, all voted "aye".

Mayor Brennan stated that since Councilman John Rach is absent this evening, delivery of the Proclamation would be delayed until his signature can be affixed. Mrs. Friedman thanked Mayor Brennan and Council.

B. Motion to Approve and Issue the "Request for Proposals for Information Technology (IT) Managed Services for the City of University Heights" as drafted and recommended by the University Heights' Technology Advisory Commission

Mr. King thanked the members of the committee for all of the work done to get the Request for Proposal (RFP) for technology services for the city, particularly Jiang Quian and Christine Hudak. Mr. King described the services within the proposal including all the services that Starfish Technology provides for the City today including transitioning systems to the cloud, and a new phone system for the city. These updates will provide modern IT practices and better facilitate improved services and communications with residents via technology. Mr. King thanked Paul Hilgenberg of Rea and Associates for advice on drafting the RFP and providing a template that gave the committee a head start with drafting the document. Mr. King recognized Mr. Quian.

Mr. Quian stated that they are very close to sending out the proposal and that Council's input is needed for the bid timeline including dates for bidders to ask questions and the procedure to advertise. Mr. King stated that the timeline had been discussed and that most of it would be handled administratively.

Mayor Brennan stated that the RFP as prepared by the Technology Advisory Commission is in such form that if Council sees fit, it can approve going out to bid with it. There are a few blanks on the timeline to fill in, and that is something that Mr. McConville, Mrs. Thomas and he could work on to ensure that the timeline is honored appropriately to provide time for questions, presentation and then an appropriate bid deadline. Mayor Brennan also pointed out that because of summer vacations, staff may not be available; hence, the dates were not inserted at this time. It was noted that the RFP would not go out without being completely filled in. There was a discussion regarding who would accept the bids. Mayor Brennan stated he discussed same with both Mr. McConville and Mrs. Thomas, adding that Mrs. Thomas is the point person for the bid process. It was also suggested that perhaps Mr. Schaefer in the Mayor's office could accept the bids and/or otherwise help with this process. It was noted and agreed that the bid coordination is a function of the Clerk of Council. Mayor Brennan expressed concern about summer vacations and wanted to make sure staff were present to solidify the process collaboratively and do it right the first time.

Vice Mayor Weiss thanked Jiang Quian as he has been extremely instrumental in this process, along with Chris Hudak and Councilman King. Mrs. Weiss stated that there are still unknowns in the RFP such as the number of laptops and smartphones. Mrs. Weiss asked the Law Director about the timeframe, and mentioned that it should not go beyond 30 to 45 days. Mr. McConville recommended that if the RFP has not gone out within a certain specified amount of time the authorization no longer exists and Administration would come back to Council.

Mrs. Sax thanked Councilman King and the Committee. She mentioned that she liked the layout, but noted that there were many yellow highlighted areas that should be completed with finite information, and she is uncomfortable voting on something that is incomplete. As Mrs. Sax pointed out items in the RFP, discussion followed that perhaps there were different versions of the RFP distributed and not everyone was on the same page(s). Councilwoman Sax noted that sections regarding service levels and expected response and resolution times which are critical components, were not defined. This should have been done before presented to Council so that it would be a complete document. Concern was expressed about voting on an incomplete document.

In response Mrs. Sax's comment, Mrs. Weiss asked if it would be doable to have on the timeline the months, a timeframe such as 15, 30 days, 15 days could be put in when Council proposes the motion, or is it better to have actual dates?

Mayor Brennan commented that he thought it would be preferable to leave it blank. So that the Administration along with Mrs. Thomas could put their heads together with respect to everybody's schedules at city hall this summer; rather than be handcuffed by dates that may end up being arbitrary or timeframes that may end up being arbitrary and unworkable. Mayor Brennan added that he would hate to have to call a special meeting to change something. But, if it were left flexible then the Law Director, Clerk of Council, Mr. Schaefer and myself would be able to work out dates that are both expeditious and meaningful. Dates were not filled in unnecessarily because until the Administration knows it can go ahead with this, those dates would be subject to change. The timeframes themselves may even be subject to change, depending on people's availability over the summer.

Mr. McConville offered that Council could establish particular timeframes from the date of issuance.

Councilwoman Blankfeld mentioned that in her experience as serving as Clerk of Council previously in Beachwood for many years, she had never seen where a RFP would ever be advertised without specific timeline dates listed. She stated she would like to see a more defined document and that there are too many blanks. Mrs. Blankfeld further stated she would prefer that in the future, proposals should not be submitted to Council without specific dates.

Mayor Brennan added that the RFP would not go out without having the dates inserted. Mayor Brennan stated that he agreed that no RFP should leave and be published with blanks where there should be dates.

Mrs. Blankfeld stated that in order for Council to approve it she would like to see the RFP more defined.

Discussion continued about the yellow highlighted areas in the RFP, the absence of dates and the specific timelines for the entire process; whether or not functions, instead of names should be inserted in the RFP, i.e., Mayor, Clerk of Council; and if specific natural dates rather than referencing days, and the date the RFP will be presented for selection to Council. Mr. McConville stated that particular timeframes can be established from the date of issuance.

Councilman Gould stated that the date he is concerned with is the date that the RFP is presented to Council for selection. Mrs. Weiss concurred with Mr. Gould regarding the date and added that the issuance is as important. The September Council date is aggressive and Mrs. Weiss suggested that the presentation of the RFP be at the second Council meeting in October. Councilman King agreed since it will be necessary for the Tech Advisory Committee to meet to discuss merits of the proposal prior to submitting to Council.

Mrs. Weiss added that along with the date of presentation to Council, another important date is that of the issuance. There does not have to be a specific date for the issuance, but within 30 or 45 days; whatever Council feels is appropriate. And then the presentation should be the second meeting in October.

Mr. King agreed with Mrs. Weiss, noting that the Tech Advisory Committee would need to meet to get ready for the presentation to Council and discuss the merits of the proposal.

Mayor Brennan summarized that it should be within 30 days for the issuance of the RFP and legal notice. Then aim for a presentation of the selection to City Council the second meeting of October 2022.

Mayor Brennan added that may not have factored in the part where information goes back to the Tech Advisory Commission before it is presented to Council; that would not necessarily be listed explicitly on the timeline, but it is something that would handle internally.

MOTION BY MR. GOULD, SECONDED BY MR. KING, to amend the Request for Proposal (RFP) as follows: on line 9 the reference to “Council Chairman” is changed to “Clerk of Council”; on the line after 412 “Issuance of RFP is within 45 days of today”; and “Presentation of selection to City Council is October 19, 2022”.

Mrs. Blankfeld acknowledged Ted Troxell, the previous chair of the Tech Advisory Committee, who guided this process, along with all who worked with him for a long time before reaching this point.

Mr. Kennedy pointed out an error on the bid sheet which referred to “RFQ” rather than “RFP”.

On roll call on Mr. Gould’s motion to amend the Request for Proposal as noted above all voted “Aye”, except Mrs. Sax who voted “nay”.

MOTION BY MR. GOULD, SECONDED BY MRS. WEISS, to amend the RFP as follows: Line 222 shall read “Support staff will report to the Mayor”; and on the bid sheet reference to “RFQ” shall be corrected to read “RFP”. On roll call, all voted “aye”, except Mrs. Sax voted “nay”.

MOTION BY MR. GOULD, SECONDED BY MR. KING, to approve the Request for Proposal (RFP), as amended. On roll call, all voted “aye”, except Mrs. Sax voted “nay”.

Mayor Brennan thanked Mr. Quian, Mr. King and the entire Tech Advisory Committee for the work on this project.

- C. Motion to Accept the Bid from Ronyak Paving Inc. as the lowest and best bidder for the 2022 Street Improvement Program and entering into Contract with the same in an amount not to exceed \$753,920.75**

Mayor Brennan stated that while Mr. Ciuni could not be present this evening, he presented this item and recommended that the bid from Ronyak Paving, Inc. be accepted. This item had been referred to the Finance Committee for further discussion. Mrs. Weiss, as chair of the Finance Committee, reported that the committee met and it was agreed to transfer \$100,000 from the ARPA funds into this account and reassess in the third quarter if there were additional revenues that can cover this overage. It was noted by Mayor Brennan that the consensus of the Finance Committee was to approve this and return to examining funding issues in September. Mrs. Weiss concurred.

MOTION BY MRS. WEISS, SECONDED BY MR. COONEY to accept the Bid from Ronyak Paving Inc. as the lowest and best bidder for the 2022 Street Improvement Program and entering into Contract with the same in an amount not to exceed \$753,920.75. On roll call, all voted “aye”.

- D. Motion to Approve Price Quote from Starfish for IT Emergency Support and Service for a three-month period of July, August and September 2022 in an amount not to exceed \$16,550.00.**

Mayor Brennan stated that this has been done quarterly as the RFP process continues and that this is similar to prior quotes.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to Approve Price Quote from Starfish for IT Emergency Support and Service for a 3-month period of July, August and September 2022 in an amount not to exceed \$16,650.00. On roll call, all voted “aye”.

- E. Motion to Approve Price Quote and Agreement from Rock the House Entertainment Group in an amount not to exceed \$15,254.50 for five (5) of the 2022 Summer Concerts Series; July 7, July 14, July 21, August 4 and August 11**

Mr. Schaefer noted that this is a higher cost than recent years due in part to increased fees for labor, fuel, equipment, demand of bands since the pandemic, etc. Mr. Schaefer referred to correspondence distributed to Council and stated that the first two concerts this year were handled separately. The grand total for the service is just over \$21,000, and since the total amount was such for the remaining five concerts, this is being submitted to Council.

Mrs. Blankfeld asked Mr. Schaefer for the total of the first two concerts and the upcoming five. Mr. Schafer reported that the total is \$21,356.30. Mrs. Sax asked about the total cost of the concert series including overtime for the Police and Service Departments. Mr. Schafer stated that there is minimal staffing and he would have to find out exact figures, adding that he believes those costs vary from a few hundred dollars to one thousand dollars, depending on the band. Mrs. Sax stated she would like to know the entire cost of the concerts. Councilman Cooney stated that these are good questions as work is done towards a budget for the fall. It was agreed that the concerts were a great thing for the city.

Mrs. Weiss asked Mr. McConville if this motion should be amended for \$21,356.56 or if it is too late; she expressed concern when a project is not getting approved. Mr. McConville stated that the spending that has occurred is within the spending authority; this is considered all one project.

Noting that in the Finance Committee they would be starting with a timeline where a flowchart timeline would be established and provided to the Finance Committee as they begin to prepare the budgets for the coming years Mrs. Sax asked if the Summer Concert series would fall under the Department of Recreation and the Recreation Committee for review. Also, because the summer concerts occur every summer, Mrs. Sax suggested consideration be given to having a full timeline plan for the summer concerts since there are different pieces that have to go before the next piece and so that Council can understand the true cost in a timely matter in order to make an informed decision.

A lengthy discussion ensued and among some of the items discussed were: the timing of contracts for bands, and the importance of starting the process early in the year, and not wait until summer; when bids should be sought for bands for the Summer Concert Series; the budgeted line item(s) accounting for same, including sound, which is separate from the entertainment; administration's spending authority, notice to Council regarding expenditures and how and where to account for the Summer Concert Series in the budget, including the suggestion that this item be included in the Recreation budget.

MOTION BY MR. GOULD, SECONDED BY MR. COONEY to approve the expenditure of \$21,356.30 for the 7 (seven) Sumer Concert Series provided that the total expense comes from budget line item 100-1600-54950 and that the total expense for that line item does not exceed \$34,569 as budgeted. On roll call, all voted "aye".

F. Motion to Approve Contract for Human Resource Service from Clemons Nelson in an amount not to exceed \$25,000 for a six-month period from July 1, 2022 – December 31, 2022

Finance Director Dennis Kennedy reported that \$45,000 was budgeted this year as part of the permanent budget for acquiring professional services related to human resource management. Mr. Kennedy explained how personnel records are maintained currently pointing out that the human resource structure is decentralized. Mr. Kennedy stated that all human resource records should be in one area to maintain consistency and management overview of how departments are enforcing policies and procedures included in the manual recently distributed. He also reported that there have been issues related to the Bureau of Worker's Compensation and that also needs oversight. The cost associated with this is projected to be less than what is being spent regarding either the employment of a law firm, or the law firm of the Law Director. Day-to-day personnel management will be provided, and the contract will require that someone is onsite one or two days a week as necessary.

Mayor Brennan stated that he has talked with the Mayor Gallagher, City of Brooklyn; Mayor Ward, City of Lyndhurst and Chagrin Valley Dispatch Executive Director, Nick Dicicco. The Cities of Brooklyn and Lyndhurst have each used Clemens Nelson for a number of years and are quite satisfied with the work they do and the suitability and the professionalism that they bring to each of their individual Human Resource Departments. It was noted that this is something the city has long needed and it is desired to implement this arrangement this summer. Mayor Brennan recommended approval.

Mrs. Sax agreed that this service is needed and appreciates the fact that references were sought regarding this service. Mrs. Sax asked where the records would be. She recalled that the Police Chief wanted access, and she hopes that will be taken into consideration. She asked if the city would own all the forms, job descriptions, etc. She asked if the personnel and procedure manual recently distributed by the city will be updated and whether or not the firm has experience with unions. Mr. Kennedy noted that the manual will be reviewed and updated and union specifics will be addressed as there is often conflicting language. With reference to the worker's compensation issue, Mrs. Sax asked if that is something that needs to be discussed in Executive Session. Mayor Brennan mentioned that there is no intent to discuss that in Executive Session

and explained that the Service Department has been short-staffed due to worker's compensation claims. Regarding whether Clemons-Nelson has experience with unionized employees, he pointed out that the public sector entities discussed herein all have unions.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to Approve Contract for Human Resource Service from Clemons Nelson in an amount not to exceed \$25,000 for a six-month period from July 1, 2022 – December 31, 2022. On roll call, all voted “aye”.

G. Amended Ordinance 2022-16 Enacting Codified Ordinance Section 1424.14 Entitled Engineering Fees” and Declaring an Emergency (on second reading)

Mr. McConville stated this will create a section in the Code that allows the city to bill owners and developers for engineering inspection fees. The ordinance had not been reviewed by the Building and Housing Committee when it was placed on first reading in March. He stated that the ordinance was later reviewed by the Building and Housing Committee in connection with a memo that he drafted explaining the process. The engineer will estimate the fees and that amount will be deposited with the City and drawn upon as inspections occur. If at the end of the process there is any amount leftover, it would be refunded to the owner or developer. If amount is owed, it will be billed to the owner or developer.

MOTION BY MRS. WEISS, SECONDED BY MR. COONEY to Approve Amended Ordinance 2022-16 Enacting Codified Ordinance Section 1424.14 Entitled Engineering Fees” and Declaring an Emergency.

Mayor Brennan noted that since the Ordinance was on second reading, suspension of the rules was not necessary, but five votes would be needed in order for it to pass on emergency.

On roll call, all voted “aye”.

H. Resolution 2022-30 Adopting the Alternative 2023 Tax Budget (on second reading)

Finance Director Kennedy stated this is an annual state requirement projecting revenues and expenses for next year. Mr. Kennedy stated that this has to be filed with the Cuyahoga County Budget Commission by July 20 and has to be approved by Council on or before July 15, 2022. The County will review and send legislation in late August or early September for Council to formally approve the tax rates which are predicated on this submission. Mr. Kennedy added that there was no change to the overall tax rate. There is a change to the distribution on the inside millage of what is allowed to be collected and allocating more of that to both the police and fire pension funds. Doing that will reduce the burden that currently exist on the general fund. The general fund is responsible for picking up the difference between the total cost of the pension payments for a year and what is collected on property taxes. By increasing the amount that is collected next year, reducing the amount that needs to be transferred out of the general fund or paid for out of the general fund to cover those expenses.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. SAX to approve Resolution 2022-30 Adopting the Alternative 2023 Tax Budget. On roll call, all voted “aye”.

I. Resolution 2022-45 Authorizing the City of University Heights to Become a Power a Clean Future Ohio Community (PCFO), and Declaring an Emergency (on passage and emergency)

Councilman King stated that representatives from Power a Clean Future Ohio (PCFO) offered to attend tonight's meeting, but that he had informed them that the presentations they gave at the April Council meeting and at the May Council Committee of the Whole meeting were very good. Mr. King stated that he looked forward to the tasks the organization can help with including assisting new municipal facilities, zoning code updates, and vehicle fleet conversions and assistance in obtaining grants. In addition, ways in which streetlights can be converted to LEDs can be explored as PCFO has been working with other communities on this. Mr. King mentioned that other communities that are part of PCFO are: Cleveland Heights, Shaker Heights Solon, Lakewood, Euclid, Cleveland and Cuyahoga County. In response to a

question from Mrs. Blankfeld regarding ballpark figures on how much grants would be, Mr. King stated that there aren't specific numbers and it depends on the particular project. Mrs. Sax recalled that she asked PCFO to consider a table with different grants, deadlines and the amounts, and they seemed to think that was a good idea.

Councilman Gould discussed various sections of the legislation regarding implementation, when and how authorizations would be provided, noting that there are certain policies the administration has absolute authority to implement independent of Council. Mr. McConville stated that PCFO wants to know the contact person, who they are to deal with. It was pointed out that PCFO would be dealing with Administration and Council. Mayor Brennan stated that the company would be dealing with administration first but there will be significant issues that will have to come before Council, for example, acceptance of grant funds or commitment of resources. Mayor Brennan stated that with reference to Section 5 of PCFO's form, they simply want to know who they are to deal with. Mayor Brennan stated that he would like to be as hands-on as possible, but he will be leaning heavily on Mr. Englebrecht to work on the administrative side. Mayor Brennan added that as Chief Administrative/Executive Officer of the City this issue and cause means a lot to him.

Mr. Gould wondered if the language could be softened by not setting an actual amount of 30% reduction of emission gases. Mayor Brennan stated the language has been softened; that it is being announced as a goal, not a mandate, to reduce greenhouse gas emissions by 30%. Mr. McConville stated that it is aspirational and that the language does not give PCFO grounds for anything other than that. In further discussions, it was noted that resident involvement is encouraged with this goal. Mr. King also provided information from the county indicating that University Heights has reduced emissions by 17% from 2010 to 2019.

In response to Mr. Gould's request that a status report be provided quarterly from PCFO, Mayor Brennan agreed to same stating that whether it is through quarterly or periodic appearances, reporting will be worked out.

MOTION BY MR. KING, SECONDED BY MR. GOULD to approve Resolution 2022-45 Authorizing the City of University Heights to Become a Power a Clean Future Ohio Community (PCFO), and Declaring an Emergency, on emergency. On roll call on suspension of the rules, all voted "aye". Roll call on the passage, all voted "aye".

Mayor Brennan thanked Mr. King for his diligence, as well as Mrs. Weiss, Mr. Gould and Mr. McConville for their assistance.

Item J. Ordinance 2022-46 Authorizing All Actions Necessary to Accept Northeast Ohio Public Energy Council (NOPEC) 2022 Energized Community Grant, and Declaring an Emergency

Mr. Ben Schafer reported that the city received a \$28,394 grant from NOPEC to undertake energy efficient initiatives. The acceptance of the grant is the first step in authorizing the receipt of the grant by City Council, a community profile must be completed. Mr. Schafer pointed out that the projects for which the city will use the funds don't need to be identified immediately; however, the grants are usually used for things like LED lighting at city complexes, electric vehicles, energy efficient equipment and facilities work. Once the funds are accepted, NOPEC places the award funds in escrow until projects are identified and completed. The city received a grant from NOPEC last year but those funds have not yet been spent.

Mr. Kennedy explained that the procedure is for the city to pay for the service and then be reimbursed from the grant. Mention of a problem with a generator in the city was made as a possible project. Service Director Pokorny would be aware of projects that need attention. It was suggested by Mrs. Weiss that the matter of recommending projects be referred to the Service or Building Committee. Councilman Gould expressed concern about agreeing to sign an ordinance indicating that an agreement has been reviewed by Council which has not been seen, and authorizing the Mayor to enter into contract. Mr. Shafer stated that while he did not have the agreement with him, the information is stored electronically.

MOTION BY MR. COONEY, SECONDED BY MRS. WEISS, to adopt on emergency Ordinance 2022-46 Authorizing All Actions Necessary to Accept Northeast Ohio Public Energy Council (NOPEC) 2022 Energized Community Grant, and Declaring an Emergency. On roll call on suspension of the rules, all voted "aye". Roll call on the passage, all voted "aye", except Mr. Gould who voted "nay".

Mayor Brennan stated that the following Items K and L have been tabled:

- K. Ordinance 2022-31 Amending Codified Ordinance Chapter 1060.02 Entitled “Notice To Owner or Occupant to Repair” To Establish the Obligation of the City to Maintain Stormwater Features Installed by the City in the Right-of-Way (on second reading)**
- L. Ordinance 2022-33 Amending Codified Ordinance Chapter 1064 Entitled “Solid Waste Disposal” and Declaring an Emergency (on second reading and emergency)**

Mayor Brennan stated that the next agenda items M through T by a previous motion this evening will be considered together as follows:

- M. Ordinance 2022-34 Amending Codified Ordinance Chapter 1060 Entitled “Sidewalks, Driveways and Tree Lawns” and Declaring an Emergency (on passage and emergency)*
- N. Ordinance 2022-35 Amending Codified Ordinance Chapter 1280 Entitled “Supplemental Regulations” and Declaring an Emergency (on passage and emergency)*
- O. Ordinance 2022-36 Amending Codified Ordinance Chapter 1420 Entitled “Administrative Procedures; General Code Penalty,” and Declaring an Emergency (on passage and emergency)*
- P. Ordinance 2022-37 amending Codified Ordinance Chapter 1452 Entitled “Garbage Disposals” And Declaring an Emergency (on passage and emergency).*
- Q. Ordinance 2022-38 Amending Codified Ordinance Chapter 1456 Entitled “Moving of Building and Structures, and Declaring an Emergency (on passage and emergency)*
- R. Ordinance 2022-39 Amending Codified Ordinance Chapter 1470 Entitled “Purpose and Scope” and Declaring an Emergency (on passage and emergency)*
- S. Ordinance 2022-40 Amending Codified Ordinance Chapter 1472 Entitled “Definitions” and Declaring an Emergency (on passage and emergency)*
- T. Ordinance 2022-41 Amending Codified Ordinance Chapter 1474 Entitled “Enforcement” and Declaring an Emergency (on passage and emergency)*

Law Director McConville stated that these ordinances were referred by the Building and Housing Committee and are intended to make the Codified Ordinances and Building Code provisions consistent in terms of making correct references to the Building, Engineering and Inspection Department and to the Building Commissioner; adding references to the Housing and Community Development Department and Housing and Community Development Director.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. SAX, approving Agenda Items M through T on the consent agenda. On roll call on suspension of the rules, all voted “aye”. Roll call on passage. All voted “aye”.

- U. Ordinance 2022-42 Amending Codified Ordinance Chapter 1475 Entitled “Notice of Foreclosure and Registration of Vacant Buildings or Structures” and Declaring an Emergency (on passage and emergency)**

Mr. McConville stated this is from the Building and Housing Committee and makes the same changes to references as with the above set of ordinances. In addition to those changes is the substantive change to clarify that the penalty for violation of the ordinance as set forth in 1475.99 is a first-degree misdemeanor.

MOTION BY MRS. BLANKFELD, SECONDED BY MR. KING, to approve Ordinance 2022-42 Amending Codified Ordinance Chapter 1475 Entitled “Notice of Foreclosure and Registration of Vacant Buildings or Structures” and Declaring an Emergency. On Roll call on suspension of the rules, all voted “aye”. Roll call on passage, all voted “aye”.

V. Ordinance 2022-43 Amending Codified Ordinance Chapter 1478 Entitled “Basic Standards for Residential Occupancy” and Declaring an Emergency (on passage and emergency)

Mr. McConville stated that this has been referred by the Building and Housing Committee. A substantive change to 1478.10 indicates that non-metallic pipe may be used for new construction and for any remedial work. Currently the ordinance limits the use of non-metallic pipe to new construction.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. WEISS, to approve Ordinance 2022-43 Amending Codified Ordinance Chapter 1478 Entitled “Basic Standards for Residential Occupancy” and Declaring an Emergency. Roll call on the suspension of the rules, all voted “aye”. Roll call on passage, all voted “aye”.

W. Ordinance 2022-44 Amending Codified Ordinance Chapter 1484 Entitled “Child Day-Care Homes in a U-1 and U-2 District” and Declaring an Emergency (on passage and emergency)

Mr. McConville stated that this Ordinance also came from the Building and Housing Committee and makes all changes to department head references. There is also a change to Chapter 1484.05 where the sentence which reads: ”Handgun owners are required to register with the City.” That requirement is no longer permissible under the new state law regulating firearms; hence 1484.05 reflects current status of state law.

Councilwoman Blankfeld acknowledged the hard work and time that this has taken, adding that there were a number of pieces here to bring current, both in language and substance. Mrs. Blankfeld thanked McConville, Mr. Cicero, Mr. Englebrecht, the administration and the members of the Building and Housing Committee.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. WEISS, to approval the passage of Ordinance 2022-44 Amending Codified Ordinance Chapter 1484 Entitled “Child Day-Care Homes in a U-1 and U-2 District” and Declaring an Emergency. Roll call on the suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

X. Ordinance 2022-47 Enacting Codified Ordinance Section 698.08 Entitled “Forfeiture” and Declaring an Emergency (on emergency) ADDED ITEM

Mr. Gould stated that Assistant Law Director Cicero brought this to the Safety Committee, and the committee unanimously voted to pass the version prepared by Mr. Cicero and Mr. McConville. There was a change to state law, as Mr. McConville stated. Mr. Gould stated there is a provision in state law which had not been implemented by the city which allows for the forfeiture of firearms for certain violations. This legislation would add a reference to that chapter from the penalties chapter of the criminal code.

Mayor Brennan stated that he supports this effort.

MOTION BY MR. GOULD, SECONDED BY MR. KING, to approve the passage of Ordinance 2022-47 Enacting Codified Ordinance Section 698.08 Entitled “Forfeiture” and Declaring an Emergency (on emergency). Roll call on the suspension of the rules, all voted “aye”. Roll call on passage, all voted “aye”.

Mr. McConville stated that the Law Department is reviewing current ordinances relating to firearms and handguns; additional legislation over the summer regarding same is forthcoming.

Thanks were extended to Mr. Cicero, Mr. Gould and Mr. McConville for the work on this legislation.

Y. Motion to Enter Executive Session for the purpose of Discussing Legal Proceedings, Personnel and Real Estate Matters

Mayor Brennan stated that it was brought to his attention a request for an update on legal proceedings and real estate matters.

MOTION BY MRS. BLANKFELD, SECONDED BY MR. COONEY, to enter into Executive Session after the regular business of Council for the purpose of discussing legal and real estate matters. On roll call, all voted “aye”.

- 9. Reports and communications from the Directors of the Department of Finance, the Department of Law, the Department of Public Safety, and other department heads as applicable, and the taking of action thereon.**

Director’s Reports

Finance Department – Mr. Kennedy

Mr. Kennedy thanked everyone for passing the tax budget and the agreement with Clemons Nelson. Finance Director Kennedy reported that audit work will be completed this week; that the GAP financial statements will be filed with the State Auditors on or before June 30. Mr. Kennedy and Mayor Brennan will conference call with county officials to review the TIF related to University Square.

Law Department – Mr. McConville

Report will be given in Executive Session.

Safety – Fire Department

Chief Perko stated that regional fire training started today here at Wiley and will go through Thursday. All are invited to see what takes place at the trainings. There will be about 50 firefighters from each region.

Building Department

Mayor Brennan introduced Rick Loconti, the City’s Chief Building Official.

Mr. Loconti was welcomed by Council. Mr. Loconti stated that he has been assigned by SafeBuilt with the approval of the Mayor, to fill the vacancy of Fred White. Mr. Loconti stated that he is filling the gap until a permanent solution can be found for the City of University Heights. Mr. Loconti stated that he will be at all Council meetings. He gave the following report of the Building Department since his tenure: 324 separate permits issued; 187 new contractor registrations; over 51 separate building permits issued in the last three months. There have been ten large projects and various events ongoing at John Carroll University.

Mayor Brennan stated that at his request, Mr. Loconti will be attending the Board of Zoning Appeals and Architectural Review Board meetings.

Mr. Gould noted that Mr. Loconti bills \$100 an hour for attending meetings. Councilman Gould suggested that if Mr. Loconti had a written report, he could submit to Council and then attend a subsequent meeting rather than attending unnecessarily. Mr. Loconti stated that Council should feel free to call him on his personal cell at any time with questions either prior or after meetings.

City Engineer - Joseph Ciuni

Mr. Ciuni has been excused from the meeting; no report. Mayor Brennan shared the following in Mr. Ciuni’s absence. The western phase of the Cedar Road project will begin next week, and that once striping is done, lanes will reopen. Dominion Gas project is on Meadowbrook towards Edgerton. Regarding the Traymore water line project, the final pipe has been installed.

There were no other director reports.

Standing Council Committees:

Building and Housing – Mrs. Blankfeld stated that three items were considered by the committee this evening; those items have been tabled and are with the law department for review. The items will come to Council either at a special meeting or first meeting in September

Economic Development – Mr. John Rach

Mr. Rach was not present, but asked Mrs. Thomas to give his report as follows: the committee will meet on July 6 at 7:00 p.m., location to be announced. and an email has been sent to all. The agenda items are: formation of the zoning steering committee; discussion of the zoning consultant’s time line.

Safety Committee – Mr. Gould

Mr. Gould stated that he has asked Mr. McConville and Mr. Cicero to organize the criminal code into the following sections: crimes against people; crimes against peace, crimes against property and vice and regulatory crimes. Mr. Gould noted that the criminal ordinance review subcommittee of the safety committee is comprised of Mayor Brennan, Police Chief, Rogers, Mr. Cicero, Terry Gilbert and Mr. Gould. Mr. Gould suggested there be five meetings over the summer.

Service and Utilities Committee – Mrs. Sheri Sax

Mrs. Sax stated that the next meeting will be scheduled after survey results are in unless something urgent arises that will require an emergency session.

Committee of the Whole – Mrs. Michele Weiss

No report.

Reports of special committees, and the taking of action thereon

None

Unfinished and miscellaneous business

None

Council went into executive session at 9:57 p.m.

MOTION BY MR. GOULD, SECONDED BY MR. COONEY to return to the regular session a 10:16 p.m. On roll call, all voted “aye”.

There was one item to be considered. Mayor Brennan discussed a July 13 Special Council Meeting and polled those present for availability.

MOTION TO ADJOURN BY MRS. BLANKFELD, SECONDED BY MR. KING. On roll call, all voted “aye”.

There being no further business, the meeting was adjourned at 10:22 p.m.

Submitted by:

Jeune Drayton, Assistant Clerk of Council

Michael Dylan Brennan, Mayor